

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 51-55 are pending, of which claim 51 has been amended.

35 U.S.C. §102

Claims 51 and 52 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,790,935 to Payton (hereinafter, "Payton"). Applicant respectfully traverses the rejection.

Payton describes an information system that delivers information to local subscribers. The system is illustrated in Fig. 2 and describes a distribution server (24), a digital transport system (26), and a local server (28) connected to a subscriber (32). The distribution server stores information that is transmitted to the local server via the transport system where the information is made available to the subscriber. (*see* Fig. 2; col. 4, lines 45-54).

<u>Claim 51</u> recites a content provider having "a server connected to the storage system to serve the content to a local service provider", "the server serving the content via the first network to the local service provider", and "a transmitter, responsive to the server, to transmit content over a second network to the local service provider."

Payton does not show or disclose a server to serve content to a local service provider via a first network, and a transmitter to transmit content over a second network to the local service provider, as recited in claim 51. Accordingly, claim 51 is allowable over Payton and the §102 rejection should be withdrawn.

Claims 52-55 are allowable by virtue of their dependency upon claim 51.

New Claims

New claims 53-55 are presented for examination. Based on the above discussion, Applicant believes that claims 53-55 are also allowable over Payton. Additionally, claims 53-55 are allowable by virtue of their dependency upon claim 51.

Conclusion

Pending claims 51-55 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. If any issues remain that preclude issuance of this application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

Dated: <u>Soc. 15</u>, 2002 By:

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Version of amended claims with markings to show changes made

51. (Amended) A content provider, comprising:

a storage system to store content;

a server connected to the storage system to serve the content to [requesting clients] a local service provider which provides the content to multiple clients;

a network port adapted for connection to a <u>first</u> network, the server serving the content [through] <u>via</u> the <u>first</u> network [port] to the [clients in response to requests from those clients] <u>local service provider</u>; and

a transmitter, responsive to the server, to transmit content over a second network to the [clients] <u>local service provider</u>.